



KENTUCKY DEPARTMENT OF EDUCATION SUPPLEMENTAL SERVICES FREQUENTLY ASKED QUESTIONS



These questions are designed to give basic information about issues concerning supplemental educational services. For detailed information, please contact the appropriate agency.

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GENERAL FAQs

What are supplemental educational services?

Supplemental educational services are additional academic instruction services designed to increase the academic achievement of students in low-performing schools that have not met State targets for increasing student achievement (adequate yearly progress) for three or more years. These services may include academic assistance such as tutoring, remediation, or other after school educational interventions. Supplemental educational services must be:

- Consistent with the content and instruction used by the local educational agency (LEA);
- Aligned with the Kentucky academic content standards; and
- High quality research-based and specifically designed to increase academic achievement

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What are LEAs?

A Local Education Agency, or LEA, is a public board of education or other public authority within the State, which maintains administrative control of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a state.

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Who is eligible to receive services?

Eligible students are all students from low-income families who attend Title I schools that are in their second year of school improvement, in corrective action, or in restructuring. If funds are insufficient to provide services to each eligible student, priority must be given to providing services to the lowest achieving eligible students.

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How do parent's know if their child is eligible for SES?

Under the No Child Left Behind Act, school districts are required to notify parents if their child is eligible for SES when the student's school has been identified as needing improvement, corrective action, or restructuring. District officials must notify parents no later than the first day of the school year following the year for which their child's school has been identified for improvement.

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What actions can parents take if their child is eligible for tutoring or other supplemental Education services, but their school or district does not offer them?

Districts receiving Title I funds must offer free tutoring and other extra help to eligible students, as described above. If eligible students are not being offered these services, parents are encouraged to contact the KDE.

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What will happen in sparsely populated rural areas where no providers of supplemental services may be available?

NCLB requires state education agencies (SEAs) to promote maximum participation by providers to ensure parents have as many choices as possible. In addition, LEAs may also serve as providers. NCLB includes report language to encourage SEAs to actively consider the inclusion of distance learning providers. Finally, an SEA may waive, at an LEA's request, all or some of the requirements of supplemental services if the SEA determines that there are no

providers in the area served by the LEA or within a “reasonable distance” of the LEA, and if the LEA is not able to provide the services.

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Who selects the service provider for a student?

Parents may select any provider from the state-approved list. When parents have made their selection, the local education agency must then contract with that provider to deliver the services.

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How will parents know whom to select?

- Parents may request assistance from their LEA in selecting a provider. In such cases, however, LEAs must be careful to offer unbiased assistance focuses on the specific academic needs of the student.
- The KDE attempts to recruit and approve a diverse group of SES providers.
- LEAs are not permitted to merely assign those students to a district or school administered program.
- LEAs are required to provide annual notice to the parents of eligible children about the availability of services and information on the approved providers.

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How are providers of SES held accountable?

States must develop and apply objective criteria for evaluating SES providers and monitor the quality of services that they offer. In addition, supplemental service providers must give parents, as well as the school, information on their children’s progress.

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How do you determine which schools will have to provide supplemental services?

Schools that are identified as in need of improvement for two or more years are required to provide services. In other words, schools that receive Title I funds and do not meet Annual Yearly Progress (AYP) for two consecutive years.

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How much must be spent on supplemental services?

LEAs must spend a total of 20 percent of their Title I, Part A allocations, if necessary, to satisfy the demand for choice-related transportation costs and supplemental services. School districts may also use funds from Part A of Title V (Innovative Programs Block Grant) to help pay for supplemental educational services. If a LEA’s Title I, Part A funds are insufficient to cover all choice-related transportation costs, LEAs must use other federal, state, or local funds. Non-federal funds would be required only for public school choice transportation.

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Must the local educational agency pay for or provide transportation to and from service providers?

While the LEA may provide transportation, it is not required to do so. If it does, the transportation expenditure does not count toward the 20 percent of Title I funds it is required to set aside.

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How will federal funds apply to private and parochial schools?

Supplemental Education Services are only available to public school students attending Title I schools in school improvement.

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Can special education students receive supplemental educational services?

Yes. All eligible students whose parents/guardians request Supplemental Education Service will be served equally, without restriction. Providers may not, on the basis of disability, exclude eligible students with disabilities for students covered under Section 504 if the student can, with minor adjustments, be provided supplemental educational services designed to meet the individual educational needs of the student.

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What is the per pupil spending limit?

The amount of funding available for each student per year is the amount equal to the per pupil allocation coming to the LEA or the actual cost of the services, whichever is less.

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How long is the term of the contract between the selected provider and the Local Education Agency?

The provider and the school district must jointly develop an agreement that outlines a timetable for improving the student's achievement. The provider must continue to provide supplemental educational services to eligible students until the end of the school year in which such services were first received. School districts have their own contractual policies, but an annual agreement is rational. However, the sufficiency of funds and the intensity of services selected may limit the availability of services to a shorter period.

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For how long must supplemental service options be offered?

Students continue to receive supplemental services as long as he or she is eligible and the school is identified as in need of improvement.

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How often will the Request for Applications RFA for supplemental services be held?

Presently, in Kentucky, the RFA process is held three times per year.

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If funding is not adequate with respect to the needs of any given district, how do you determine which students will receive supplemental services?

If sufficient funds are not available to serve all eligible children, an LEA must give priority to the lowest-achieving eligible students. If an LEA anticipates that it will not have sufficient funds to serve all students eligible to receive supplemental educational services, it must notify parents that priorities will be set in order to determine which of the eligible students may receive these services.

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STATE EDUCATION AGENCY FAQs

What is the responsibility of the State in providing supplemental educational services?

The Kentucky Department of Education (KDE) has a number of responsibilities in ensuring that eligible students receive additional academic assistance. The KDE must:

- Promote maximum participation by providers;
- Develop and apply objective criteria for approving providers based on a demonstrated record of effectiveness in helping students meet state academic content and student achievement standards;
- Consult with parents, teachers, LEAs, and interested members of the public to identify a large number of supplemental educational service providers.
- Maintain a list of approved providers arranged by school district;
- Monitor the quality and effectiveness of providers and withdraw approval from providers that fail to meet state criteria for two consecutive years;
- Develop, implement, and publicly report on techniques for monitoring the quality and effectiveness of services offered by approved supplemental services providers; and
- Annually notify potential providers of the opportunity to provide services and the procedures for obtaining SEA approval.

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LOCAL EDUCATIONAL AGENCY FAQs

What is the responsibility of the local educational agency in providing supplemental educational services?

Local educational agencies (LEAs) must:

- Notify parents about the availability of services.
- Help parents choose a provider, if such help is requested.
- Determine which students should receive services when not all students can be served.
- Enter into an agreement with a provider selected by parents of an eligible student.
- Assist the State Educational Agency (SEA) in identifying potential providers within the LEA.
- Provide information to the SEA so that it can monitor the quality and effectiveness of the services offered by providers.
- Protect the privacy rights of students who receive supplemental educational services.

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What will happen in sparsely populated areas where no providers of supplemental services may be available?

SEAs are required to promote maximum participation by providers to ensure parents have as many choices as possible. In addition, LEAs may also serve as providers. SEAs are encouraged to actively consider the inclusion of distance learning providers. Finally, a SEA may waive, at a LEA's request, all or some of the requirements of supplemental services if the SEA determines that there are no providers in the area served by the LEA or within a "reasonable distance" of the LEA, and if the LEA is not able to provide the services.

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IDENTIFICATION AND APPROVAL OF SES PROVIDERS

How do States identify and approve supplemental educational services providers?

States must develop and apply objective criteria for approving supplemental educational service providers. The criteria for approving providers as well as the list of approved providers must be published.

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What are the selection criteria for the approval of SES providers?

The selection criteria for the approval of SES providers must include:

- A demonstrated record of effectiveness in improving student academic achievement;
- Documentation that the instructional strategies used by the provider are high quality, based upon research, and designed to increase student academic achievement;
- Assurances that services are consistent with the instructional program of the LEA and with State academic content standards;
- Evidence that the provider is financially sound; and
- Assurance by the provider that it will provide supplemental educational services consistent with applicable Federal, State, and local health, safety, and civil rights laws.

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What is the standard of performance for providers in order to keep them on the state approved list?

The State-approved list will be updated on a periodic basis as new providers are identified and meet the qualifications. It is intended that the Providers List be updated as least on an annual basis. In addition to adding providers on a periodic basis, the State will eliminate those providers who fail to maintain high-quality standards or fail to raise student performance.

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What entities can serve as supplemental service providers?

Providers may include non-profit entities, for-profit entities, local educational agencies, public schools, public charter schools, private schools, public or private institutions of higher education, and faith-based organizations. No entity can automatically be considered a supplemental services provider. All providers must:

- Meet the same criteria and undergo the same selection process.
- Be a financially sound non-profit or for-profit entity or LEA
- Have a “demonstrated record of effectiveness” in increasing student academic achievement
- Meet applicable health, safety, and civil rights laws.

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What entities cannot serve as supplemental services providers?

Entities that cannot serve as providers include:

- Public schools identified as in need of improvement, restructuring, or corrective action;
- LEAs identified as in need of improvement (although individual schools within such an LEA that are making adequate yearly progress could be providers).

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Can schools identified as “in need of school improvement” participate in the RFA process?

No. If a public school is identified as in need of improvement, corrective action, or restructuring, the school may not be an approved supplemental educational services provider.

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Could teachers from a high performing district form a corporation and provide tutoring services?

Yes, an individual or group of individuals may be a supplemental educational service provider if they organize as a non-profit or for-profit entity and they meet the applicable statutory and regulatory requirements.

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Can for-profit, non-profit, faith-based, or other non-school organizations be funded within an eligible district?

Yes. Faith-based organizations, including entities such as religious private schools, non-profits, for-profits, and other non-school organizations, are eligible to become providers of supplemental educational services if they meet the applicable statutory and regulatory requirements. Neither Title I nor other Federal funds may be used to support religious practices such as religious instruction, worship, or prayer.

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Do Criminal Background Checks need to be done on all tutors?

Yes. Approved providers are required to conduct annual Criminal Offender Record Information (CORI) checks on all staff members who will work with students receiving Supplemental Education Services. When entering into an agreement with an LEA, providers are required to give copies of current checks to the LEA prior to working with the students. The provider must maintain a file of annually updated CORI checks for each of these staff members.

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SES PROVIDER RESPONSIBILITIES

What are the responsibilities of the Supplemental Educational Services Provider?

Entities that agree to become supplemental service providers must:

- Ensure that the instruction provided is aligned with Kentucky student content standards and with the local educational agency’s instructional program;
- Set specific achievement goals for the student, developed in consultation with the parent;
- Provide a description of how the student’s progress will be measured and how the student’s parents and teacher will be regularly informed of that progress;
- Establish a timetable for improving the student’s achievement;
- Agree to not disclose to the public the identity of any student eligible for or receiving supplemental educational services without the written permission of the student’s parents; and
- Agree that services will be provided consistent with applicable civil rights laws.

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